

**PUBLIC SERVICE COMMISSION OF SOUTH CAROLINA  
COMMISSION DIRECTIVE**

ADMINISTRATIVE MATTER	<input type="checkbox"/>	DATE	<u>June 06, 2018</u>
MOTOR CARRIER MATTER	<input type="checkbox"/>	DOCKET NO.	<u>2017-370-E</u>
UTILITIES MATTER	<input checked="" type="checkbox"/>	ORDER NO.	<u>2018-400</u>

**THIS DIRECTIVE SHALL SERVE AS THE COMMISSION'S ORDER ON THIS ISSUE.**

**SUBJECT:**

DOCKET NO. 2017-370-E - Joint Application and Petition of South Carolina Electric & Gas Company and Dominion Energy, Incorporated for Review and Approval of a Proposed Business Combination between SCANA Corporation and Dominion Energy, Incorporated, as May Be Required, and for a Prudency Determination Regarding the Abandonment of the V.C. Summer Units 2 & 3 Project and Associated Customer Benefits and Cost Recovery Plans - Staff Presents for Commission Consideration the Amended Petition to Intervene (Out of Time) Filed on Behalf of Transcontinental Gas Pipe Line Company, LLC.

**COMMISSION ACTION:**

Transco, an interstate provider of natural gas transportation and storage, seeks to intervene in this Docket based on allegations that contracts with SCE&G and Dominion Energy will be adversely affected by the outcome of this Docket. The listed contracts are transportation and storage service agreements, interconnection agreements, precedent agreement, pooling agreements, interruptible transportation agreements, and park and loan agreements

The standard for intervention in this matter is stated in Commission Regulation 103-825(3) and is further addressed by *Lujan versus Defenders of Wildlife*, a decision of the United States Supreme Court, at 504 United States Reports 555, particularly at pages 559 to 560 (1992). The parameters for intervening as described by the Court in *Lujan* specify that a party meets the requirements for standing by showing a concrete and particularized injury in fact, which is actual or imminent, not conjectural or hypothetical, and that the injury can be redressed by a favorable decision.

I would note, Mr. Chairman, and fellow members of the Commission, that we have broad discretion in terms of reviewing petitions for intervention.

After review of Transco's arguments for joining the Docket and SCE&G's position against intervention, I am still uncertain whether Transco has crossed the threshold of standing for it to participate as a party. Therefore, as allowed by Commission Regulation 103-851, I would move that Transco and SCE&G file briefs, which address the following questions:

First, are the contracts that Transco identifies as establishing standing within the jurisdiction of this Commission?

Second, specifically, how are those contracts subject to adverse effects from this proceeding, or specifically, how is this nexus or connection between Transco's rights and obligations under its contracts and the exercise of the Commission's authority on the merits of these issues too conjectural or hypothetical?

And, third, can the Commission redress the adverse effects on these contracts alleged by Transco by a favorable decision?

I would further move that these briefs shall be due by June 20, 2018, with responses due by June 25, 2018.

PRESIDING: Whitfield

SESSION: Regular

TIME: 2:00 p.m.

	MOTION	YES	NO	OTHER
BOCKMAN	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
ELAM	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
FLEMING	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
HAMILTON	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
HOWARD	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
RANDALL	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
WHITFIELD	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	

(SEAL)

RECORDED BY: J. Schmieding

